

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF WISCONSIN

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WISCONSIN CARPENTERS PENSION FUND,  
and BRIAN GENTRY,

Plaintiffs,

vs.

Case No. 07-C-510 C

OVERHEAD DOOR CO. OF HIBBING,

Defendant.

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ORDER FOR INJUNCTIVE RELIEF

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Motion for default judgment brought by the plaintiffs in the above-captioned action was submitted to the Court and subsequently filed with the Clerk.

The Court, having duly heard all issues and a decision having been duly rendered, orders as follows:

1. Defendant Overhead Door Co. of Hibbing, has failed to plead or otherwise defend as provided by Rule 55(a) of the Federal Rules of Civil Procedure.
2. Defendant Overhead Door Co. of Hibbing, violated the Labor Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreement by failing to pay fringe benefit contributions on behalf of its employees to the Plaintiff Funds and by failing to submit to an audit of the company's books and records by the Plaintiff Funds

designated representative covering the period of October 1, 2001 through April 30, 2005.


3. Plaintiffs must conduct an audit of defendant's payroll records to liquidate their claims and proceed to judgment.

**IT IS HEREBY ORDERED:**

(a) that the Defendant Overhead Door Co. of Hibbing, is to submit within ten (10) days of the date of this Order to an audit of the company's books and records by the Plaintiff Funds designated representative covering the period of October 1, 2001 through April 30, 2005; and

(b) that the results of said audit shall be submitted to the court within ten (10) days of the completion of the audit, and the Clerk of Court shall enter judgment in favor of the Plaintiff Fund to include all contributions, interest and liquidated damages due the Plaintiff Fund as reported by the auditor, along with Plaintiffs' costs and attorney fees.

Dated at Milwaukee, Wisconsin, this 23<sup>rd</sup> day of January, 2008.



Clerk of Court

Deputy Clerk

Approved as to form this 22<sup>d</sup> day of January, 2008.

  
U. S. District Court Judge